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LONG-TERM DISABILITY INSURANCE PLAN and  
Real Party in Interest STANDARD INSURANCE  
COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**PATRICIA BROYLES,**

**Plaintiff,**

**v.**

**A.U.L. CORPORATION LONG-TERM  
DISABILITY INSURANCE PLAN,**

**Defendant,**

**STANDARD INSURANCE COMPANY,**

**Real Party in Interest.**

No. C-07-5305-MMC

**DECLARATION OF GEORGE CHAN  
IN SUPPORT OF A.U.L.  
CORPORATION LONG-TERM  
DISABILITY INSURANCE PLAN'S  
MOTION TO REVIEW PLAINTIFF'S  
CLAIM FOR ERISA BENEFITS  
UNDER ABUSE OF DISCRETION  
STANDARD OF REVIEW**

Date: August 1, 2008

Time: 9:00 a.m.

Before the Honorable Maxine M. Chesney

1 I, GEORGE CHAN, hereby declare as follows:

2 1. I am a Senior Disability Benefits Analyst at Standard Insurance Company  
3 ("Standard"). I submit this declaration and attached exhibits in support of Defendant A.U.L.  
4 Corporation Long-Term Disability Plan's Motion To Review Plaintiff's Claim For ERISA  
5 Benefits Under Abuse Of Discretion Standard Of Review ("Motion"). Except as expressly stated  
6 herein, I have personal knowledge of the matters stated in this declaration and could and would  
7 testify competently to them.

8 2. In the regular course of my duties at Standard, I was assigned to administer the  
9 claim for Long Term Disability ("LTD") benefits made by Patricia Broyles.

10 3. For each claim for benefits pursuant to an insurance policy issued by Standard,  
11 Standard's analysts collect and generate an administrative record documenting the decision-  
12 making on the claim. These administrative records are generated and maintained in the ordinary  
13 course of Standard's business of administering claims for benefits. In the course of administering  
14 Ms. Broyles' claim, I became familiar with the administrative record that Standard generated and  
15 maintained, and have personally reviewed its contents, as well as applicable documents from the  
16 Group Long Term Disability Insurance Policy No. 638213-T ("Plan Policy").

17 4. Attached hereto as Exhibit 1 is a true and correct copy of the Plan Policy  
18 applicable to employees of A.U.L. Corporation, effective January 1, 2000, as amended from time  
19 to time. The Plan Policy was generated and maintained in the ordinary course of Standard's  
20 business operations.

21 5. Attached hereto as Exhibit 2 is a true and correct copy of a "Time Card Report"  
22 for Patricia Broyles sent by A.U.L Corporation to Standard on or about February 6, 2006. This  
23 document is part of the administrative record generated and maintained by Standard in the  
24 ordinary course of business regarding the claim of Patricia Broyles.

25 6. Attached hereto as Exhibit 3 is a true and correct copy of a note dated March 29,  
26 2006 written and signed by Shannon Teed. This document is part of the administrative record  
27 generated and maintained by Standard in the ordinary course of business regarding the claim of  
28 Patricia Broyles.

1           7.       Attached hereto as Exhibit 4 are true and correct copies of (1) a LifeStep DOT  
2       Browser "Job Description Report" dated February, 3 2006, including a handwritten note signed  
3       by Kathleen ("Kathy") McCarthy also dated February 3, 2006, and (2) a note written and signed  
4       by Ms. McCarthy dated February 9, 2006. These documents are part of the administrative record  
5       generated and maintained by Standard in the ordinary course of business regarding the claim of  
6       Patricia Broyles.

7           8.       Attached hereto as Exhibit 5 is a true and correct copy of Patricia Broyles' "Long  
8       Term Disability Benefits Employee's Statement" signed on November 28, 2005 and marked as  
9       "received" on November 30, 2005. This document is part of the administrative record generated  
10      and maintained by Standard in the ordinary course of business regarding the claim of Patricia  
11      Broyles.

12          9.       Attached hereto as Exhibit 6 is a true and correct copy of a note written and signed  
13      by Karen Veltkamp dated December 5, 2005. This document is part of the administrative record  
14      generated and maintained by Standard in the ordinary course of business regarding the claim of  
15      Patricia Broyles.

16          10.      Attached hereto as Exhibit 7 is a letter dated December 19, 2005 from Shannon  
17      Teed to Anna Suesens at A.U.L. Corp. This document is part of the administrative record  
18      generated and maintained by Standard in the ordinary course of business regarding the claim of  
19      Patricia Broyles.

20          11.      Attached hereto as Exhibit 9 is a true and correct copy of a letter dated December  
21      30, 2005 from Shannon Teed to Patricia Broyles. This document is part of the administrative  
22      record generated and maintained by Standard in the ordinary course of business regarding the  
23      claim of Patricia Broyles.

24          12.      Attached hereto as Exhibit 10 are true and correct copies of an "Order  
25      Confirmation," dated January 3, 2006, a fax cover sheet from Shannon Teed to LabOne, dated  
26      January 6, 2006 and an e-mail from LabOne to Shannon Teed, dated January 3, 2006. These  
27      documents are part of the administrative record generated and maintained by Standard in the  
28      ordinary course of business regarding the claim of Patricia Broyles.

1           13. Attached hereto as Exhibit 13 is a true and correct copy of a phone call record,  
2           dated February 14 and 15, 2006. This document is part of the administrative record generated  
3           and maintained by Standard in the ordinary course of business regarding the claim of Patricia  
4           Broyles.

5           14. Attached hereto as Exhibit 14 is a true and correct copy of a letter dated March 3,  
6           2006 from Shannon Teed to Patricia Broyles. This document is part of the administrative record  
7           generated and maintained by Standard in the ordinary course of business regarding the claim of  
8           Patricia Broyles.

9           15. I am informed and believe that Dr. Waldram is not an employee of Standard,  
10          rather, he works as a consultant on a periodic basis.

11          16. Attached hereto as Exhibit 16 is a true and correct copy of a curriculum vitae for  
12          David W. Waldram, M.D. This document is part of the administrative record generated and  
13          maintained by Standard in the ordinary course of business regarding the claim of Patricia Broyles.

14          17. Attached hereto as Exhibit 19 is a true and correct copy of a letter dated May 10,  
15          2006 from Emmi Gordon to Patricia Broyles. This document is part of the administrative record  
16          generated and maintained by Standard in the ordinary course of business regarding the claim of  
17          Patricia Broyles.

18          18. Attached hereto as Exhibit 23 is a true and correct copy of a letter dated August 3,  
19          2006 from Jason Hewett to Patricia Broyles. This document is part of the administrative record  
20          generated and maintained by Standard in the ordinary course of business regarding the claim of  
21          Patricia Broyles.

22          19. Attached hereto as Exhibit 24 is a true and correct copy of a letter from Jason  
23          Hewett to Patricia Broyles, dated October 4, 2006. This document is part of the administrative  
24          record generated and maintained by Standard in the ordinary course of business regarding the  
25          claim of Patricia Broyles.

26          20. Attached hereto as Exhibit 25 are true and correct copies of (1) a note, written and  
27          signed by Jason Hewett, and dated November 20, 2006, (2) a second note written and signed by  
28          Jason Hewett, and also dated November 20, 2006, (3) a third note written and signed by Jason

1 Hewett, also dated November 20, 2006, and (4) a note, written and signed by Jason Hewett, dated  
2 November 21, 2006. These documents are part of the administrative record generated and  
3 maintained by Standard in the ordinary course of business regarding the claim of Patricia Broyles.

4 21. Attached hereto as Exhibit 26 is a true and correct copy of a letter dated November  
5 20, 2006 from Jason Hewett to Patricia Broyles. This document is part of the administrative  
6 record generated and maintained by Standard in the ordinary course of business regarding the  
7 claim of Patricia Broyles.

8 22. Attached hereto as Exhibit 27 is a true and correct copy of a letter from Jason  
9 Hewett to Patricia Broyles, dated December 11, 2006. This document is part of the  
10 administrative record generated and maintained by Standard in the ordinary course of business  
11 regarding the claim of Patricia Broyles.

12 23. Attached hereto as Exhibit 33 is a true and correct copy of a letter dated February  
13 12, 2007 from Mary E. Cea to Patricia Broyles. This document is part of the administrative  
14 record generated and maintained by Standard in the ordinary course of business regarding the  
15 claim of Patricia Broyles.

16 24. The Administrative Review Unit ("ARU") is separate department at Standard from  
17 the benefits department, and the ARU has different analysts and supervisors. The ARU analyst  
18 assigned to Patricia Broyles' claim, Mary Cea, had no part in the original claim decision or the  
19 administration of Ms. Broyles' claim prior to the independent review.

20 25. I am informed and believe that Joseph J. Mandiberg, M.D., is not an employee of  
21 Standard.

22 26. Attached hereto as Exhibit 34 is a true and correct copy of the curriculum vitae of  
23 Joseph J. Mandiberg, M.D. This document is part of the administrative record generated and  
24 maintained by Standard in the ordinary course of business regarding the claim of Patricia Broyles.

25 27. The administrative record generated and maintained by Standard regarding the  
26 claim of Patricia Broyles is 462 pages in length.

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing Declaration is true and correct, and that this Declaration was executed on June 25, 2008  
3 in Portland, Oregon.  
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7 George Chan  
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